

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

CIVIL ACTION NO.: 5:20-cv-00205-FL

JOSE ROLANDO MOSHAN-MARTINEZ,)
JOSE EDUARDO CASILLAS-SERRANO,)
BULMARO DE LA ROSA-ALVARADO,)
ISAIAS GOMEZ-GONZALEZ,)
EFRAIN GOMEZ-SANTIZ,)
JOSE LUIS HERNANDEZ-MARTINEZ,)
MARICELA JIMENEZ-GIRON,)
OSCAR GUADALUPE LOPEZ-ARCOS,)
LORENZO LOPEZ-LOPEZ, and JOHN DOE <i>on</i>)
<i>behalf of themselves and other similarly situated</i>)
<i>persons,</i>)
)
Plaintiffs,)
)
vs.)
)
FRANCISCO VALADEZ, JR. LLC,)
FRANCISCO VALADEZ, JR.)
SLEEPY CREEK FARMS, INC.)
GOLDSBORO MILLING CO.,)
WINZELER FARMS, LLC and)
COTTLE FARMS, INC.,)
)
Defendants.)

ORDER APPROVING SETTLEMENT AND MOTION TO STRIKE

This matter comes before the court on the Joint Motion for Approval of Settlement (“Joint Motion”) between Defendant Winzeler Farms, LLC (“Defendant” or “Winzeler Farms”) and Named Plaintiffs Jose Rolando Moshan-Martinez, Jose Eduardo Casillas-Serrano, Isaias Gomez-Gonzalez, Efrain Gomez-Santiz, Maricela Jimenez-Giron, Oscar Guadalupe Lopez-Arcos, Lorenzo Lopez-Lopez and Opt-In Plaintiffs Jaimie Lopez-Perez, Isidro Hernandez-Lopez, Joel

Mendez-Ramirez (collectively, “Settling Plaintiffs”). In consideration of Settling Plaintiffs’ and Defendant’s (“the parties”) Joint Motion and stated grounds for same, the Joint Motion is hereby approved and entered as an Order of this Court as follows:

Having considered the extent of the parties’ discovery that has taken place, the stage of the proceedings, including the complexity, expense and likely duration of the litigation, the absence of fraud or collusion in the settlement, the experience of Plaintiffs’ counsel who have represented Plaintiffs throughout the duration of the litigation, the probability of Plaintiffs’ success on the merits and the amount of the settlement in relation to the potential recovery, and the significance of the injunctive relief agreed to, the Court finds the Settlement Agreement and Release to be fair and reasonable.

The Joint Motion for Approval of Settlement and Motion to Strike is ALLOWED and the Settlement Agreement and Release are APPROVED without changes. Plaintiffs are ordered to strike Defendant Winzeler Farms from the Collective Action Notice. Upon receipt of the Settlement Amount, Plaintiffs’ counsel shall execute and file with the Court a Stipulation of Dismissal with Prejudice as to Defendant Winzeler Farms, LLC.

SO ORDERED, this the 14 day of September, 2021.



U.S. District Judge